

## THE COTTS CASE.

The Barratry Hearing Began

Yesterday Morning and it

WILL CONTINUE SEVERAL DAYS.

A Bill of Particulars Demanded by Defense, Which was Complied With by Mr. Pendleton—Several Witnesses Were Examined in the Afternoon—The Sloan Case and the Anderson Claims.

Yesterday morning, at 10 o'clock, in Part I of the circuit court, before Justice of the Peace Greer, the barratry hearing, in which W. J. Cotts, George Waite, John Anderson, J. G. Habernfeld and J. E. W. McCulley are defendants, was begun. Col. W. W. Arnett and Mr. Richard Ryan were counsel for the defense, while ex-Congressman John O. Pendleton conducted the prosecution.

At the morning session, the defense insisted that the prosecution introduce a bill of particulars. Mr. Pendleton replied that this step was unnecessary, but the justice ruled for the defense on this question, and the hearing was recessed until 2 o'clock in the afternoon. At the afternoon session, the prosecution introduced the following bill of particulars:

## Bill of Particulars.

State expects to prove that W. J. Cotts instigated the stirring up of the litigation with reference to the tax matters for gain and extortion.

That W. J. Cotts prosecuted Samuel Sloan in a criminal action to collect a civil claim.

That W. J. Cotts bought the Anderson cost bills to bring suits against the parties alleged to owe them, collected some by executions, others by threats and others by sticking up bills of sale, and that many of them were unjust.

That W. J. Cotts has threatened numerous persons in the community with litigation unless they paid him money.

That W. J. Cotts has purchased claims, both legal and illegal, against different persons, and has brought suit upon them to extort money.

That W. J. Cotts has purchased a claim against H. E. Bachmann, and has instituted a criminal prosecution to collect the same.

That W. J. Cotts has threatened to institute criminal prosecutions against the druggists for alleged violation of law to extort money from him.

That W. J. Cotts has threatened to institute criminal proceedings against the saloon keepers of this county for alleged violation of law, for gain or extortion.

That W. J. Cotts has threatened to arrest or prosecute the bishop and officials of the Catholic church if they did not remove some steps in front of the Catholic church.

That W. J. Cotts tried to buy a strip of ground on Baker street, near Penitentiary bridge, to prevent the Elm Grove railway from getting right of way, and to extort money from said company.

That W. J. Cotts threatened to put Sam Sloan in the penitentiary for not paying a civil claim.

That W. J. Cotts threatened to go to Wheeling Park on Sunday and have Mr. Bachmann and other officials indicted for Sunday selling.

That W. J. Cotts tried to buy a claim from Waterhouse Bros. against Harry Bachmann to extort money from Bachmann.

That W. J. Cotts tried to buy claims from Saylor, Maxwell & Co. and Schenk & Sons against said Bachmann to start litigation and to extort money.

That W. J. Cotts brought damage suits against W. H. Holmes, James Holmes, D. D. Ingram, F. E. McCoy and policemen to intimidate them from doing their duty.

That W. J. Cotts brought suits for damages against Messrs. Thompson, Schenk and McCoy, of the board of public works, to frighten them from doing their duty.

That W. J. Cotts has intimidated justices of the peace into issuing executions in cases in which he was no party.

That W. J. Cotts tried to buy a claim against Mrs. A. C. Egerton from Mr. Leiner, said claim being not collectible in a civil proceeding, in order to extort money from Mrs. Egerton.

That W. J. Cotts has been guilty of numerous other legal proceedings to extort money or other things from citizens.

That W. J. Cotts threatened to institute a criminal proceeding against Joe Green, to extort money from him.

That W. J. Cotts has threatened to sue the Intelligencer Register and News for \$10,000 damages each for publishing accounts of the institution of these proceedings.

That W. J. Cotts has threatened to prosecute the prosecuting attorney of Ohio county because he has withdrawn, by permission of the criminal court, from the prosecution of the indictments against Harry E. Bachmann.

## The Attorneys Argue.

Mr. Pendleton said that there had been only one case of barratry tried in this county.

## A BURDEN LIFTED.

When a woman who has long suffered from female troubles, is again restored to health she feels that a tremendous burden has been lifted from her shoulders. Her figure rounds out again. Color comes to her cheeks, and she feels much the same as when a girl, and if the neighbors wouldn't talk, the chances are she would go out and have a good romp, as in childhood's days. Doctor Pierce's Favorite Prescription lifts the burden of disease from women. It allays inflammation and stops drains in the feminine organs. It strengthens the fragile supports that hold the internal organs in place. It corrects irregularities. It drives away the "blues" and banishes nervousness. The ordeal of child-bearing is rendered an occasion of no danger and little pain. It is the best medicine that Dr. R. V. Pierce, the long experienced specialist in women's diseases, ever made. The Doctor will give free, fatherly advice to all women who write him at Buffalo, N. Y. No fee whatever is charged.

"I was a great sufferer for four years from displacement and ulceration," writes Mrs. Mary Pickering, of Ohio, Kenokuk County, Iowa. "At the time I began using Dr. Pierce's Favorite Prescription I was not able to sit up in bed. I took eight bottles and got to be a stout woman. I also gave Dr. Pierce's Golden Medical Discovery to my little daughter for quinsy and enlarged tonsils and it completely cured her. Any doubt that I write to you, enclosing a stamp, and I will answer."

Honest dealers will not urge substitutes for Dr. Pierce's medicines. There are no other medicines in the world "just as good," although avaricious druggists will sometimes say so for the sake of the greater profit to be made upon the inferior articles.

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## NO OTHER LIKE IT

Testimony From Thousands of Well-Known People.

ENDORSED BY PHYSICIANS.

Every Bottle Guaranteed.

MARLBOROUGH, August 10, 1897.  
Dear Sir—Your "Lyonne" is the best remedy I have ever tried for colds in the head, catarrh and bronchial affections. I have recommended it to my family, who have tried it with great success. Very truly yours,  
Hon. SAMUEL RHODES, Jr.

IT CURES BY INHALATION  
Sold by all druggists or sent by mail. Price "Lyonne" outfit, \$1.00. Extra bottles 50c.

R. T. BOOTH COMPANY,  
Rooms 20-21 Auditorium Building, Chicago, Ill.

## Mutual Savings Bank.

**Mutual Savings Bank**  
1521 Market St.  
Open Daily, 9 a. m. to 3 p. m.  
Monday and Saturday Evenings.

LOANS ON REAL ESTATE at 6 per cent, reducible every 3 months. Why not get a little ahead, then borrow enough to buy a home?

The courts of Ohio county, and that was the case of the state vs. Melissa McGlumphy, tried on an agreed state of facts in the circuit court in 1891. Miss McGlumphy was found guilty, and fined \$25. No bill of particulars was furnished then, and one was only furnished in this case at the request of the justice.

Replying, Colonel Arnett said the reason no bill of particulars was filed in the case mentioned was that it was tried on an agreed state of facts. Proceeding, the colonel moved to strike from the bill just introduced by Mr. Pendleton every matter in which Cotts himself is the litigant, and all statements in which it is alleged he threatened to do anything. No person, he said, is guilty of barratry in prosecuting suits in his own name. In support of this contention, Colonel Arnett cited authorities, and following the colonel, Mr. Pendleton cited authorities at considerable length.

Justice Greer overruled Colonel Arnett's motion, and the hearing was proceeded with.

## Joseph Hasenauer.

The first witness was Joseph Hasenauer. He admitted having sold Cotts a claim against Samuel Sloan five or six months ago; it was an order for \$170 on the city of Wheeling, which was in payment of loans made Sloan.

"What did he pay you for this claim?" asked Mr. Pendleton.

"I object," said Colonel Arnett.

Mr. Pendleton said the consideration on such a transaction may show one of the foremost elements of barratry. The objection was overruled.

"He hasn't paid it all yet. He was paying me \$5 for the \$170. I made the offer to Mr. Cotts. I didn't see any other way to get it."

Witness said he thought Sloan got the money under false pretences, and he could collect it. Witness so far has got \$50 out of it. Cotts got about \$65.

"Was any part of this money usury?" the court said a usury case is not being tried. Mr. Pendleton said he proposed to show that Cotts had purchased a usurious claim. Witness said there was no usury; he didn't know just how much interest was charged.

To Colonel Arnett, the witness said Sloan had revoked the orders, and for this reason he believed Sloan had obtained the money under false pretences.

## Samuel Sloan.

The second witness was Samuel Sloan. Before his examination was begun, Colonel Arnett moved that all witnesses be excluded from the court room. The justice sustained the motion.

Mr. Sloan said he had owed Hasenauer \$70, but the latter claimed it was \$80 or \$85. He paid Hasenauer ten, fifteen and twenty per cent for thirty days. If he wanted to borrow \$35 for thirty days he charged him \$45. Cotts and his attorney, Col. Arnett, came to him with a bill for \$170, the amount they alleged he owed Hasenauer. First they wanted him to pay \$30 per month, then they came down to \$25, and then to \$20 per month. Colonel Arnett had said to him: "You know what kind of a bull headed fellow Cotts is," and on this occasion he had to pay \$10, and enter into an agreement to pay \$20 a month. Later a criminal prosecution was started. Stine Haberfeld's attorney, he was forced to give a bond for \$500, with Mayor Butts as surety. They claimed he had got the money under false pretences, "which is a lie."

"Who started the prosecution?" asked the court.

"I think it was a combination."

The case never went before the grand jury. He settled with Cotts by agreeing to pay \$20 a month until the \$170 was paid. He agreed to this because he would rather pay two dollars to one than figure in a court of justice.

To Colonel Arnett, the witness said it was true, with the assistance of the colonel, Mr. Watkins urged the payment of the claim. Witness admitted having signed an acknowledgment of owing \$170 to Cotts, and "I have paid \$15 for the use of \$75."

After this agreement, Colonel Arnett had returned, and insisted upon having \$10 at once, said the witness to Mr. Pendleton, on redirect examination.

## Chas. H. Watkins.

City Clerk Charles H. Watkins was the next witness. At this point, the defense objected to the presence of the prosecutor, H. E. Bachmann; the objection was overruled.

The witness knew of the agreement entered into between Colonel Arnett and Mr. Sloan. He knew of no criminal prosecution being instituted by Cotts. Cotts had not directly threatened him, but he had said something about making him pay the claim if Sloan did not.

Witness knew about Cotts applying for a warrant for Bishop Donahue for failing to pay some steps in front of the St. Joseph's Cathedral, on Thirteenth street. Mr. Cotts alleged these steps obstructed his view. He told the assistant clerk he must decline to issue the warrant, because the board of public works had given permission for building the steps. Cotts had said he would "publish" the witnesses in the paper because he would not issue the warrant. Cotts told the witness he had left a communication at the intelligence office. This communication had been shown the witness, but he did not remember its contents. The communication was not published.

To Colonel Arnett, the witness said Sloan agreed to the paper he signed. He did not hear any threats uttered against Sloan. He verified receipts produced by the defense. The witness did not profess direct knowledge that Bishop Donahue had been given permission by the board of public works to put down the Thirteenth street steps.

The witness was requested to learn whether the steps were put down with the permission of the board.

## Harry E. Hillman.

Harry E. Hillman, the Eleventh street jeweler, had business transactions with W. J. Cotts recently, at least "he tried to have dealings with me." The witness said an execution was posted at his place recently by Constable Scherlein for fees claimed to be due Cotts, assigned to the latter by Constable Anderson, of Squire Arkle's court. The fees were for cases tried in 1893 and 1894. Cotts sent a collector, Waite, to his store, to collect the fees. He refused to pay, and Constables Scherlein and Creighton later served on execution on him at his place of business. The executions came from Squire Dunning's court. A bill of sale was tacked on his door, and a clock was leveled on. Finally he paid the claim and additional costs assessed in Squire Dunning's court. The witness produced the receipts. This same claim he had paid Squire George Arkle in 1895, and checks were produced which he paid Squire Arkle for it. These checks and receipts were introduced as evidence.

"Why did you pay the claim?" asked Mr. Pendleton.

"Because I didn't want any trouble."

"You didn't want to be sold out," suggested Mr. Pendleton.

Objection by Colonel Arnett; sustained.

To Colonel Arnett, witness said his attorney advised him to settle with Cotts, "that it was too small a matter to trouble about." He had not paid costs to Constable Anderson, because he always settled with the justice. He had told Waite the claim had been settled before. Waite wanted everything his own way, and would not listen to his claim that the matter had already been settled. The witness attorney, he reiterated, advised paying the Cotts-Anderson claim, because "it was such a small matter." He did not know the docket shows he owes \$90.

## James A. Henry.

James A. Henry, the real estate agent, next testified. W. J. Cotts had some business with him recently, and he knew of the sale of the Anderson costs to Cotts, who had endeavored to collect four claims from him. Four executions to satisfy these claims were issued at Cotts' instance on his office furniture. The witness went to Squire Dunning's office, and he asked to be allowed to look over the record. He had expressed his intention to proceed against "somebody." The executions, however, were dropped, and the next day Cotts sued the witness for costs, and judgment went against him for \$2. Then the witness went before the circuit court and secured a writ of prohibition against Cotts. Since then Cotts had sent Constable Creighton to his office, and he had paid costs in one case, which he believed he still owed.

To Colonel Arnett witness admitted Cotts had made a concession in his claim when he learned some of the services were rendered by Constable Laughlin, instead of Constable Anderson, and the costs had been paid to Laughlin.

To Mr. Pendleton, the witness said the amount sued for, \$5.40, was not what he owed.

At 4:30 p. m. the hearing was adjourned until 9 o'clock this morning.

## Bleeding Piles.

And all other forms of this common and often dangerous disease readily cured without pain or inconvenience.

Thousands of men and women are afflicted with some sort of piles, without either knowing the exact nature of the trouble, or knowing it, are careless enough to allow it to run without taking the simple means offered for a radical cure.

The failure of salves and ointments to permanently cure piles has led many to believe the only cure to be a surgical operation.

Surgical operations are dangerous to life and members, not often entirely successful, and at this time are no longer used by the best physicians or recommended by them.

The safest and surest way to cure any case of piles, whether blind, bleeding or protruding, is to use the Pyramid Pile Cure, composed of healing vegetable oils, and absolutely free from mineral poisons and opiates. The entire letter from a Pittsburgh gentleman a severe sufferer from bleeding piles, gives some idea of the prompt, effectual character of this pile cure. He writes:

"I take pleasure writing these few lines to let you know that I did not sleep for three months except for a short time each night because of a bad case of bleeding piles. I was down in bed and the doctors did me no good. A good brother told me of the Pyramid Pile Cure and I bought from my druggist three fifty cent bottles. They cured me and I will soon be able to go to my work again."

WILLIAM HANDSCHU, 46 St., Cotton Alley, below Butter St., Pittsburgh, Pa.

The Pyramid Pile Cure is not only the safest and surest remedy for piles, but is the best known and most popular. Every physician and druggist in the country knows it and what it will do.

Send to Pyramid Co., Marshall, Mich., for little book on cause and cure of piles, describing all forms of piles and the proper treatment.

The Pyramid can be found at all drug stores at 50 cents per package.

## At War with the Court.

NEW YORK, March 14.—Continuous rows between members of the district attorney's staff and the judges of General sessions culminated to-day when District Attorney Gardner attempted to enter Part 2 of the court, where Recorder Gott was charging a jury. Court Officer Gibbons stopped him and said his orders were to allow no one to enter at that time. Colonel Gardner ordered his own attending officer to arrest Gibbons and this was done and Gibbons was hauled to police court.

## Rhode Island Democrats.

PROVIDENCE, R. I., March 14.—The Democrats of Rhode Island held their annual convention to-day and Hon. George W. Greene, mayor of Woonsocket, was nominated for governor. The convention was attended by a large number of delegates.

NEW YORK, March 14.—Terry McGovern knocked out Patsy Haley in the eighteenth round.

Appeal to Patriotism Didn't Work. BERLIN, March 14.—During the discussion of the second army bill in the reichstag to-day, the minister of war, General Von Gessler, said the measure was a factor in favor of unity, adding that the defense of the fatherland was no party question. The war minister then appealed to the patriotism of the reichstag, asking that body to grant the government's demands in their entirety. The reichstag later, by a vote of 209 to 141, rejected the army increase demanded by the government. The budget committee's proposal was also rejected.

## Woman's Troubles.

The troubles of women are legion, most of them being caused by female weakness and irregularities brought on by overwork and worry. Many women are so run down in health that life has become a burden to them. But experience and skill can change all this. Dr. Greene, of West 14th St., New York City, the eminent specialist, and the most successful physician in the country in curing diseases, has made a special study of the complaints of women and never fails to effect a cure even in the most desperate case. Any sick woman can consult Dr. Greene by letter, free. Let her describe her case to him in all confidence and he will write her the advice that will soon make her well.

## THE RIVER.

YESTERDAY'S DEPARTURES.  
Cincinnati...KEYSTONE STATE, 8 a. m.  
Pittsburgh...VIRGINIA, noon.  
Parksburg...H. K. BEDFORD, 11 a. m.  
Makamoras...LEWIS, 11 a. m.  
Sistersville...RUTH, 3:30 p. m.  
Clarington...LEWIS, 3:30 p. m.  
Stebenville...T. M. BAYNE, 2:30 p. m.  
Pittsburgh...AVALON, 5 a. m.

BOATS LEAVING TO-DAY.  
Clarington...KANAWHA, 6:30 a. m.  
Pittsburgh...LEWIS, 11 a. m.  
Sistersville...RUTH, 3:30 p. m.  
Clarington...LEWIS, 3:30 p. m.  
Stebenville...T. M. BAYNE, 2:30 p. m.  
Pittsburgh...LORENA, 2 a. m.  
Parksburg...AVALON, 8 a. m.

BOATS LEAVING TO-MORROW.  
Pittsburgh...VIRGINIA, 8 a. m.  
Parksburg...H. K. BEDFORD, 11 a. m.  
Makamoras...LEWIS, 11 a. m.  
Sistersville...RUTH, 3:30 p. m.  
Clarington...LEWIS, 3:30 p. m.  
Stebenville...T. M. BAYNE, 2:30 p. m.  
Pittsburgh...LORENA, 2 a. m.  
Parksburg...AVALON, 8 a. m.

STEUBENVILLE—River 11 feet, and falling.

MORGANTOWN—River 8 feet 7 inches and falling.

GREENSBORO—River 8.10 feet and falling.

PARKERSBURG—River 13 feet and falling.

PITTSBURGH—River 8.9 feet and falling.

OIL CITY—River 3 feet 2 inches and falling.

Working Night and Day.

The busiest and mightiest little thing that ever was made is Dr. King's New Life Pills. Every pill is a sugar-coated globe of health, that changes weakness into strength, listlessness into energy, brain-fog into mental power. They're wonderful in building up the health. Only 25 cents per box. Sold by Logan Drug Co.

THE WITNESS WAS REQUESTED TO LEARN WHETHER THE STEPS WERE PUT DOWN WITH THE PERMISSION OF THE BOARD.

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## MARTIN'S FERRY NEWS.

The Daily Chronicle of Wheeling's Progressive Neighbor.

Yesterday morning a man and six young women arrived in town, and immediately commenced the distribution of bills among the masculine portion of the population for a grand entertainment, to be given in Maennerchor Hall, for men only. A license for the show was taken out early in the day, but later, Mayor Shipman having learned the nature of the exhibition, revoked the license, thus shattering the hopes of the manager for exhibiting in this city, and the affair was dropped. The female portion of the aggregation appeared at police headquarters last night and demanded money to get out of town, but Mayor Shipman informed them that they could get out of town in the same manner in which they came in. They claimed that their manager had left them, and that they were in financial straits. The troupe came here from Barnesville, and it is supposed that they are the same people who have been disturbing the good people at Scio.

MARTIN'S FERRY BRIEFS.

A special meeting of council was held last night to elect a successor to fill the unexpired term of one year and one month of the city clerk's office, previously filled by the late R. F. Alexander.

Two aspirants, M. C. Mitchell and L. C. Lash, were in the race, and after a vote of the ten members of council, it resulted in the election of Lash; vote, 6 to 4.

Mayor Shipman received a letter yesterday from D. E. McGinley, United States consul at Athens, Greece, inquiring as to the whereabouts of a Greek woman, Mrs. M. Stavrianopoulos (or Stavrinou), who was last heard from in this city, about two years ago, and whom an effort is being made to locate by Prof. George Streif, of that city.

The Mother McKinley Circle, Ladies of the G. A. R., has been most highly and deservedly complimented by Mrs. William Jeffers, state inspector of the order, who made an inspection of the local order last week, for the benevolence which they have shown toward the